

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DAVID MAIER,

Petitioner,

v.

STATE OF WASHINGTON and
COUNTY OF CHELAN,

Respondents.

NO: 2:21-CV-0137-TOR

ORDER OF DISMISSAL WITHOUT
PREJUDICE

On April 9, 2021, Plaintiff filed a *pro se* Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254, without paying the \$5.00 filing fee or seeking leave to proceed *in forma pauperis*. ECF No. 1.

By letter dated April 9, 2021, the Clerk of Court sent Petitioner an Application to Proceed Without Payment of Fees and Affidavit. ECF No. 2. The letter advised Petitioner of his failure to seek *in forma pauperis* status or pay the required fee and asked him to remedy the issue. He did not do so.

On May 10, 2021, this Court ordered Petitioner to submit a completed *in forma pauperis* application within thirty (30) days of the date of that Order. In the

1 alternative, Petitioner was advised that he could pay the full \$5.00 filing fee.
2 Petitioner was advised that his failure to do so within 30-days would result in the
3 dismissal of this case. Petitioner has neither paid the filing fee nor sought in forma
4 pauperis status.

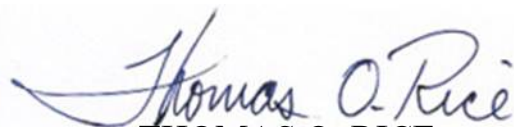
5 Accordingly, **IT IS HEREBY ORDERED:**

- 6 1. This action is **DISMISSED without prejudice** for failure to comply with the
7 filing fee or in forma pauperis requirements of 28 U.S.C. §§ 1914 and 1915.
8 2. The Court certifies any appeal of this dismissal would not be taken in good
9 faith.

10 The Clerk of Court is directed to enter this Order, enter judgment, forward a copy
11 to Plaintiff and **close** the file.

12 **DATED** June 10, 2021.




THOMAS O. RICE
United States District Judge